

**Assembly Bill No. 2509**

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Passed the Assembly    August 20, 1998

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*Chief Clerk of the Assembly*

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Passed the Senate    August 18, 1998

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*Secretary of the Senate*

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This bill was received by the Governor this \_\_\_\_ day  
of \_\_\_\_\_, 1998, at \_\_\_\_ o'clock \_\_M.

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*Private Secretary of the Governor*

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## CHAPTER \_\_\_\_

An act to add and repeal Section 21100.7 of the Vehicle Code, relating to vehicles.

## LEGISLATIVE COUNSEL'S DIGEST

AB 2509, Napolitano. Vehicles: funeral processions.

(1) Existing law permits local authorities to adopt rules and regulations by ordinance to authorize any person to direct traffic at locations that require traffic direction for orderly traffic flow.

This bill would revise these provisions, until January 1, 2002, to require a local authority in the County of Los Angeles, whenever it authorizes the regulation of traffic by any person for a funeral procession, to issue each funeral escort an identification card and an official insignia in the form of a patch or badge indicating that the funeral escort is authorized to direct traffic in accordance with the movement of the funeral procession. The authority would be required to charge a fee for the issuance of the identification card and official insignia, equal to the cost incurred by the authority in issuing that card and insignia. For these purposes, the bill would define “funeral escort” and “funeral procession.” The bill would require those local authorities to regulate the formal training of funeral escorts relating to traffic control and traffic safety procedures, as specified. Because a violation of these provisions would be a crime and because the bill would increase the responsibilities of local authorities, the bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.



This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

*The people of the State of California do enact as follows:*

SECTION 1. Section 21100.7 is added to the Vehicle Code, to read:

21100.7. (a) Whenever a local authority in the County of Los Angeles authorizes the regulation of traffic for a funeral procession pursuant to paragraph (1) of subdivision (e) of Section 21100, the local authority shall do all of the following:

(1) Issue each funeral escort in that procession an identification card and an official insignia in the form of a patch or badge indicating that the funeral escort is authorized to direct traffic in accordance with the movement of the funeral procession. The local authority shall charge the funeral escort or his or her employer a fee that is equal to the costs incurred by the authority in issuing that card and insignia.

(2) Require that each vehicle in the funeral procession be clearly marked with a funeral sticker and have its headlights activated.

(3) Require that there be one funeral escort for every 12 vehicles in the procession, except that the escort in charge of the procession shall be authorized to vary this requirement based on traffic conditions and the nature of the route.

(4) Regulate the formal training of funeral escorts relating to traffic control and traffic safety procedures. At a minimum, the regulation shall require providers of funeral escort services to do all of the following:



(A) Provide funeral escorts with not less than 30 hours of formal training on traffic control and traffic safety procedures.

(B) Certify the participation of funeral escorts in not less than 25 funeral processions.

(C) Establish a training manual that includes, but is not limited to, all of the following subjects:

- (i) Traffic control and direction.
- (ii) Legal responsibilities of funeral escorts.
- (iii) Safety requirements for funeral processions.
- (iv) Record keeping and reporting of incidents.
- (v) Safety and inspection of motorcycles and other funeral escort vehicles.

(b) For the purposes of this section, the following terms have the following meanings:

(1) “Funeral escort” means a uniformed person employed by a mortuary or company to direct the movement of a group of vehicles engaged in a funeral procession.

(2) “Funeral procession” means a group of two or more vehicles traveling in line from a funeral service, whether that funeral service is held at a place of worship or another location, to a transportation facility, cemetery, or crematory.

(c) This section shall remain in effect only until January 1, 2002, and as of that date is repealed, unless a later enacted statute, which is enacted on or before January 1, 2002, deletes or extends that date.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution for certain costs that may be incurred by a local agency or school district because in that regard this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

However, notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates



determines that this act contains other costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates Claims Fund.

Notwithstanding Section 17580 of the Government Code, unless otherwise specified, the provisions of this act shall become operative on the same date that the act takes effect pursuant to the California Constitution.



Approved \_\_\_\_\_, 1998

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*Governor*

